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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 TAMMIE WANLESS, et al.,

12 Plaintiffs,

13 v.

14 PELOTON INTERACTIVE, INC.,

15 Defendant.  
16

No. 2:23-CV-00405-DMC

ORDER

17 Plaintiffs Tammie and Mike Wanless, who are proceeding with retained counsel,  
18 bring this civil action. All parties have consented to Magistrate Judge jurisdiction and the case  
19 has been reassigned. See ECF Nos. 7, 8, & 10.

20 On June 20, 2023, the Court issued an order granting in part and denying in part  
21 Defendant's motion to compel arbitration. See ECF No. 22. In particular, the Court found that  
22 Plaintiff Tammie Wanless had entered into a binding arbitration agreement, but that Plaintiff  
23 Mike Wanless had not. See id. The Court, therefore, granted Defendant's motion as to Plaintiff  
24 Tammie Wanless, denied the motion as to Plaintiff Mike Wanless, and stayed proceedings  
25 pending completion of arbitration as to Plaintiff Tammie Wanless. See id. The parties were  
26 directed to submit a joint status report within 60 days of the date of the June 20, 2023, order and  
27 every 60 days thereafter pending further order of the Court.

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1           The parties submitted timely status reports on August 3, 2023, October 16, 2023,  
2       December 15, 2023, and most recently on February 13, 2024. See ECF Nos. 23, 24, 25, and 26.  
3       In the February 13, 2024, status report, the parties indicate that, even though the Court found  
4       that Plaintiff Mike Wanless was not subject to an arbitration agreement, he has nonetheless  
5       agreed to have his claims arbitrated along with Plaintiff Tammie Wanless's claims. See ECF  
6       No. 26. An initial conference was held before an arbitrator on January 9, 2024. See id. While  
7       the parties do not indicate when the arbitration hearing is scheduled to occur, they ask that the  
8       next status report be due within 180 days "as all claims will be addressed in arbitration." Good  
9       cause appearing therefor, the Court will extend the deadline to submit the next status report.

10           Accordingly, IT IS HEREBY ORDERED that the parties shall submit a joint  
11       status report within 180 days of the date of this order.

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13       Dated: May 14, 2024



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE